

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

SAFETY SPECIALTY INSURANCE  
COMPANY and SAFETY NATIONAL  
CASUALTY COMPANY,

Plaintiffs,

Case No. 1:20-cv-13290

v.

Honorable Thomas L. Ludington  
United States District Judge

COUNTY OF GENESEE by its BOARD OF  
COMMISSIONERS, *et al.*,

Defendants.

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**JUDGMENT**

In accordance with the Opinion and Order entered today;

It is **ORDERED** that Plaintiffs' Motion for Summary Judgment, ECF No. 27, is **GRANTED AND DENIED IN PART**. Plaintiffs' Motion is **DENIED** as to the request for a declaration against the Claimant Defendants. Plaintiffs' Motion is **GRANTED** in all other respects.

Further, it is **ORDERED** that the Claimant Defendants' Motion for Summary Judgment, ECF No. 24, is **GRANTED**. All Plaintiffs' claims against the Claimant Defendants are **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction.

Further, it is **ORDERED** that the Insured Defendants' Motion for Summary Judgment, ECF No. 26, is **DENIED**.

Finally, it is **DECLARED** pursuant to the Declaratory Judgment Act, 28 U.S.C. § 2201, and Federal Rule of Civil Procedure 57, that:

1. Plaintiff Safety Specialty Insurance Company (“Safety Specialty”) does not owe Defendants County of Genesee and Deborah Cherry insurance coverage (defense or indemnity) under Safety Specialty’s Public Officials and Employment Practices Liability Policy No. POC4056122, as issued to Defendant County of Genesee, in regard to *Fox v. Saginaw*, No. 19-cv-11887-TLL-PTM (E.D. Mich. 2019), or *Puchlak v. St. Clair*, 18-002853-CZ (Mich. Cir. Ct. 2018).
2. Plaintiff Safety National Casualty Company (“Safety National”) does not owe Defendants County of Genesee and Deborah Cherry insurance coverage (defense or indemnity) under Safety National’s Commercial General Liability Policy No. GLA4052188, as issued to Defendant County of Genesee, in regard to *Fox v. Saginaw*, No. 19-cv-11887-TLL-PTM (E.D. Mich. 2019), or *Puchlak v. St. Clair*, 18-002853-CZ (Mich. Cir. Ct. 2018).

**This is a final judgment and closes the case.**

Dated: February 8, 2022

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge